



**Ninety-Eighth Legislature - Second Session - 2004**  
**Committee Statement**  
**LB 874**

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**Hearing Date:** January 28, 2004

**Committee On:** Judiciary

**Introducer(s):** (Mossey, Tyson)

**Title:** Redefine the term sexual contact for purposes of sexual assault of a child

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**Roll Call Vote – Final Committee Action:**

- X    Advanced to General File  
      Advanced to General File with Amendments  
      Indefinitely Postponed
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**Vote Results:**

- |   |                     |  |
|---|---------------------|--|
| 6 | Yes                 | Senators Brashear, Foley, Mines, Mossey, Pedersen, Tyson |
|   | No                  |  |
|   | Present, not voting |  |
| 2 | Absent              | Senators Chambers, Pedersen                              |
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**Proponents:**

Wayne Bena  
John Ewing Jr.  
Chris Perrone  
Burke Harr

**Representing:**

Introducing for Senator Ray Mossey  
City of Omaha  
Nebraska County Attorneys Association  
Douglas County Attorneys Association

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

Legislative Bill 874 redefines the term “sexual contact” for purposes of sexual assault of a child.

Under current statutory law, sexual contact is defined as the intentional touching of the victim’s sexual or intimate parts, the intentional touching of the victim’s clothing covering the immediate area of the victim’s sexual or intimate parts, or the touching by the victim of the actor’s sexual or intimate parts or the clothing covering the immediate area of the actor’s sexual or intimate parts when such touching is intentionally caused by the actor. Sexual contact only

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includes conduct that can be reasonably construed as being for the purpose of sexual arousal or gratification of either party.

Under LB 874, sexual contact shall also include the touching of a child with the actor's sexual or intimate parts on any part of the child's body for purposes of sexual assault of a child under NRS §28-320.01.

**Explanation of amendments, if any:**

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**Senator Kermit A. Brashear, Chairperson**